IMPLEMENTATION OF THE HELSINKI ACCORDS

HEARING

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COMMISSION ON SECURITY AND COOPERATION IN EUROPE

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SECOND SESSION

THE STOCKHOLM CONFERENCE ON CONFIDENCE- AND SECURITY-BUILDING MEASURES AND DISARMAMENT IN EUROPE AND THE FUTURE OF THE CSCE PROCESS

MARCH 25, 1986

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PUBLIC HEARING ON THE STOCKHOLM CONFERENCE ON CONFIDENCE- AND SECURITY-BUILDING MEASURES AND DISARMAMENT IN EUROPE AND THE FUTURE OF THE CSCE PROCESS

TUESDAY, MARCH 25, 1986

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
Washington, DC.

The Commission met, pursuant to notice, in room 2212, of the Rayburn House Office Building, at 10:30 a.m., Senator Alfonse M. D'Amato, Chairman, and Representative Steny H. Hoyer, Cochairman, presiding.

In attendance: Senator Malcolm Wallop, Commissioner.

Also in attendance: Michael R. Hathaway, staff director, and Mary Sue Hafner, general counsel of the Commission.

OPENING STATEMENT OF CHAIRMAN D'AMATO

Chairman D'AMATO. The Commission will come to order. This is a hearing on the future of the Helsinki process as seen by the State Department. Today we have with us Secretary Armacost, and I'm delighted he could take of his time to be here with us; and Ambassador Barry.

I'm going to depart from the norm and read part of my statement. Generally, I put the whole thing in the record as it's read in its entirety, but my staff tells me it's very important that I read it all. Is that right, Michael? That's because they've worked on it so long. But let me see.

Both Under Secretary of State for Political Affairs Michael Armacost and Ambassador Robert Barry, head of the United States delegation to Stockholm CDE talks, we're delighted that you're here, as dedicated and talented public servants with wide experience in foreign policy. We look forward to learning their views on the future of the Helsinki process.

This year holds great promise and great peril for the Helsinki process. We see promise in the release of Anatoly Shcharansky, in the resolution of bilateral divided family, separated spouses, and dual citizenship cases. President Reagan's declared intention to pursue quiet diplomacy at the head of state and Secretary of State levels holds the potential for achieving further human rights improvements.

At the beginning of April, the Preparatory Conference for the Human Contacts Experts' Meeting will convene in Bern, Switzer-

land. On April 15, the meeting itself will begin. At this meeting, we will have the opportunity to see for ourselves if the promise of improved Soviet compliance with their human rights commitments has any substance.

We must, however, consider the possibility that we are seeing only new propaganda cosmetics, not evidence of real change in Soviet policies.

They stonewalled the United States and our allies at the Ottawa Human Rights Experts' Meeting and at the Budapest Cultural Forum. Now we approach Bern, the last Helsinki Process Experts' Meeting on Human Rights before the Vienna Review Conference.

In contrast with Ottawa and Budapest and possibly Bern, we see the prospect of agreement at the Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe, better known as the CDE talks. Both President Reagan and General Secretary Gorbachev made positive remarks about CDE at the end of the Geneva summit. These remarks were amplified by the President on the resumption of negotiations this year.

CDE is scheduled to adjourn on September 19. Most people are predicting that when CDE adjourns, it will forward recommendations on new confidence- and security-building measures to the Vienna review meetings.

This possible development raises the vital issue of balance in the Helsinki process. The future of the Helsinki process is clearly at stake and, if things go badly, lasting harm could be done to the NATO alliance.

What few people realize is that CDE is potentially a two-phase meeting. Phase 1, which is occurring now, deals with CSBM's. Once phase 1 is over, especially if it ends successfully, that is, with an agreement, then pressure will be on to move ahead to phase 2.

Soviet pressure to move ahead to phase 2 threatens our human rights interests and the Helsinki process as a whole. Phase 2 is planned to be a separate meeting to discuss disarmament in Europe.

At Vienna, rather than conducting a balanced review of the Final Act, we could face a Soviet propaganda offensive to obtain agreement to move ahead promptly to phase 2 of CDE, or to blame the United States for blocking movement. They could effectively shove human rights off of the Vienna agenda.

The Soviet Union would find a propaganda bonanza in this situation. The United States and our allies would be in a very bad position if we tried to block discussion of disarmament in Europe. This issue could even split the alliance, giving the Soviets a victory out of all proportion to the importance of the underlying debate.

If the Soviets shove human rights off the agenda at Vienna, it will badly damage the credibility of the Helsinki process in the United States. Those nongovernmental organizations which have traditionally supported the United States involvement in the process will react negatively and decisively to such developments.

In fact, if the Soviets succeed, they may fatally unbalance the Final Act in favor of Soviet security concerns and against our human rights concerns. There are members of this Commission who have strongly expressed themselves on the issue of balance. I have expressed my own concerns more than once.

Balance in the Helsinki process is U.S. policy. The issue is, what is balance? In its most optimistic sense, balance is faithful implementation by all signatory states of all aspects of the Final Act and the Madrid Concluding Document in full compliance with their explicit terms and their underlying intent—to achieve lasting security and real cooperation among the signatory states.

Clearly, we do not now have balance in this sense. The Soviet Union and its allies violate, in varying degrees, the human rights and humanitarian provisions of the Final Act.

Therefore, in its most realistic sense, balance means exacting a concrete political price for noncompliance with terms of the Final Act and the Madrid Concluding Document in direct proportion to concrete gains made in other areas. This means an active program of public diplomacy designed to hold the Soviet Union and its allies to account before the court of world opinion. It also means some form of linkage.

It means stricter linkage between the separate meetings which form the Helsinki process. It also means some form of operational linkage between the total result of the Helsinki process and other aspects of United States-Soviet bilateral relations, including trade and arms control.

True, we must maintain procedural balance as well, when we count the number and length of meetings on different topics and assess achievement of concluding documents at the ends of these meetings. But we must not confuse this kind of procedural balance with balance in the actual effect of implementation or violation of Final Act provisions on people. This means real change which improves the lot of real people.

Also, some people mistake the production of documents for progress. The issue is not documents. It is compliance. It is hypocritical and wrong to attempt to paper over Soviet Union violations of past agreements with more new agreements.

We must keep firmly in mind the fact that the Soviets are no more likely to comply with the terms of new agreements than they are with those that they are currently violating. We seek compliance first. Then after past promises are kept, we seek new ways to achieve the goals of the Helsinki process.

If we don't get compliance, we cannot ignore violations. We must make the Soviets pay a price for their violations or we lose all credibility, both with them and with our own citizens.

Finally, I want to stress the vital importance of an active program of public diplomacy. If there are violations, and these are flagrant and are continuing violations, we simply—we must hold the Soviet Union to account for its actions unless we tell our own people and the people of the West about them.

Public diplomacy means more than assigning a USIA officer to every U.S. delegation to a Helsinki process meeting. It means carefully considering whom you are selecting to head the delegation. It means developing and implementing a coordinated public information and education effort.

Sadly, I have seen little evidence of the kind of policy coordination, commitment of resources, and assignment of high caliber people necessary to make this aspect of our Helsinki efforts as effective as it must be. Public information is a vital tool of public di-

plomacy. It has been an afterthought. It must become a major priority.

This tour of the Helsinki horizon places current developments in perspective. It sets the bounds of the possibilities inherent in this coming year's activities. I hope the positive possibilities are the ones which will be realized. My fellow Commissioners and I will be working for achievement of those positive possibilities. However, we must remain vigilant to prevent negative developments.

While I have taken some time to set forth my views, I believe this discussion was needed to establish a framework for understanding the future of the process and the risks and potential rewards we face.

Before hearing from our distinguished witnesses, I turn now to my Cochairman, Congressman Steny Hoyer of Maryland, for any remarks that he may have.

Again, I say that I have taken this unusual step of reading this because, Mr. Secretary, let me say to you very candidly that there is a growing frustration with respect to the Commission and its members in terms of the relationship that we have with the State Department, in terms of the selection of those who will be heading or who will be assisting at these important meetings, in terms of whether or not we talk about human rights, on the one hand, but there is a failure to demonstrate real linkage.

Are we really saying on one hand that we are concerned with human rights but we put them on the back burner, because the publicity attendant with the desire to bring about disarmament discussions is more important politically in a propaganda sense than is seeing to it that those who have signed accords are held accountable to those accords.

Now these are the questions that I believe not only are the nonaligned, nongovernmental groups are concerned about, but the broad array of Commissioners who sit on the Helsinki Commission.

Cochairman Hoyer.

Cochairman HOYER. Thank you, Mr. Chairman. I apologize for my lateness. I was testifying on a very important question to the Washington Metropolitan area, that is, the question of linkage between Prince Georges County and downtown D.C. with the Washington Metropolitan Area Transit System, a critically important linkage to me at this point in time.

I'm not going to make an opening statement. Unfortunately, I will not be able to stay throughout the course of the entire hearing; and I want to leave time for Ambassador Barry and Under Secretary Armacost to make their statements. I look forward to their statements, and thank them for appearing before us today.

Thank you, Mr. Chairman.

Chairman D'AMATO. Senator Wallop.

Mr. WALLOP. Mr. Chairman, I would ask that my whole statement be put in the record.

Chairman D'AMATO. So ordered.

[The statement of Senator Wallop follows:]

Malcolm Wallop

STATEMENT BY SENATOR MALCOLM WALLOP, HELSINKI COMMISSIONER, FOR THE HELSINKI COMMISSION HEARING ON THE STOCKHOLM SECURITY CONFERENCE AND THE CSCE PROCESS, MARCH 25, 1986

Senator D'Amato, Congressman Hoyer, fellow Commissioners, Distinguished Witnesses, Ladies and Gentlemen:

We meet here today to review the Stockholm Conference on Confidence and Security-Building Measures and Disarmament in Europe and the CSCE process as a whole. I especially welcome this hearing because I have long thought that we needed a Helsinki Commission review of progress in all of the baskets of the Helsinki Accords. In our deep and proper concerns over human rights in the Soviet Union and East-bloc, we here in the Helsinki Commission tend to forget that the Helsinki Accords focused on a wide range of east-west issues, including security, arms control, trade and economic questions, cultural and business exchanges and exchanges in scientific and environmental matters.

Mr. Chairman, I think we need to remember that it was the Soviet Union which began the CSCE process. The Soviet Union lobbied long and hard to get the western nations to agree to sit down with them to discuss the security of Europe. Their aim was to get a handle on western Europe and to try to legitimize their hammer-lock on eastern Europe and the Baltic countries which they incorporated into their Empire at the end of World War II. Brezhnev also hoped, as Warren Zimmerman pointed out to me last fall, to put an umbrella over all east-west contacts to control them. The Soviets wanted to use Helsinki to obtain economic and technological exchange and information from the West. I think, Mr. Chairman, that we need to ask whether this whole process, after ten years, has worked more to the advantage of the Soviet Union and East-bloc or more to ours?

Mr. Chairman, the United States originally agreed to participate in the CSCE process as a trade-off for three important east-west negotiations - the Four Power Agreement on Berlin, the Mutual and Balanced Force Reduction talks to limit conventional forces in Europe, and the Strategic Arms Limitation talks of ten years ago. Our goal was to link progress in these areas to our participation in the Helsinki meeting which eventually led to the Helsinki Final Act.

I think, Mr. Chairman, that we must never overlook the fact that all east-west negotiations are linked and that our continued participation in the Helsinki CSCE process has contingencies. It is linked to progress in human rights. It is linked to progress in arms control. It is linked to progress in reducing conventional forces in central Europe. These linkages have ennabled us to bring pressure to bear on the Soviet Union in the CSCE process, but have we succeeded in doing so?

Mr. Chairman, many cynics have implied that the Stockholm Conference on Disarmament in Europe is a farce. Others have said that on the U.S. side, it is a step-child of the arms controllers, who have focused entirely on the Geneva negotiations. We know that the Soviet Union has utilized the CSCE process as an instrument of its foreign policy. Have we done so to an adequate degree?

Mr. Chairman, the Soviet Union and the Warsaw Pact states are using the Stockholm CDE Conference as a platform for a variety of dangerous and deceptive arms control proposals, such as no-first use commitments, one-sided military spending freeze proposals, one-sided chemical weapons ban proposals, proposals for nuclear-weapons free zones in Europe and one-sided ideas for ceilings on military exercises. For this reason, we must pay very close attention to the Stockholm Conference. We must not let the Soviet Union control the ball there. We must link our participation in each and every session to their behavior in living up to the provisions of the Helsinki Final Act. We must systematically point to their repeated violations of that Final Act across the spectrum of its provisions.

Mr. Chairman, as long as Dr. Andrei Sakharov remains imprisoned by the KGB at Gorky, the Soviet Union stands in violation of the Helsinki Final Act for all the world to see. As long as the Soviet Union fails to grant Dr. Sakharov freedom of movement and freedom to engage in science, the Soviet Union is in blatant violation of several provisions of the Final Act of Helsinki. As long as Dr. Sakharov and others such as Orlov cannot travel, or speak or publish or pursue scientific research, the CSCE process has failed. I would ask the distinguished witnesses here today what they think about that failure and what they think the United States can do at Stockholm and Bern and elsewhere to press for the release to Moscow of Dr. Andrei Sakharov?

Mr. Chairman, I also would ask Undersecretary Armacost and Ambassador Barry to outline for us how the Stockholm Conference promotes United States interests and how it fits into the entire Helsinki process. Is that conference merely a platform for Soviet and East European propagandizing, or do they treat it with the solemnity it deserves? Is there anything we Helsinki Commissioners can do to support the efforts of our delegation so that it will not be treated as some sort of step-child of the arms controllers?

Mr. Chairman, I would also ask Mr. Armacost to give us his view of how we can better use the Stockholm Conference to further U.S. foreign policy interests, particularly in view of the repeated Soviet and Warsaw Pact violations of the arms control and confidence-building provisions of the Helsinki Final Act. I would ask both Mr. Armacost and Mr. Barry to tell us honestly whether the United States should continue to participate in the conference and if so, why?

Mr. Chairman, I want to join my colleagues on the Helsinki Commission in welcoming the distinguished witnesses here this morning. I look forward to their testimony. Thank-you.

Mr. WALLOP. I think, though, that I would make a couple of observations out of it. One is that the Helsinki Final Act wasn't something that we dreamed up and wanted. It was the Soviet Union who pressured us, lobbied us (the West), into doing it. It was they who wanted it; we who linked it with a whole lot of other arrangements.

It was something that they were not coerced into signing. Rather, it's an obligation that they freely undertook, having lobbied to get it. And they got plenty for it. We, in effect, legitimized the occupation of Eastern Europe. We now no longer call it occupied Europe. We now refer to it as Eastern bloc countries. We no longer refer to East Germany as occupied Germany.

So they got plenty out of it. They legitimized their hold over their empire from the very beginning.

It strikes me that it is totally immoral for this country to view itself as the weatherman for the climate of world relations and we, and we alone, are responsible for whether it's snowing or the Sun is shining, whether it's a spring day or a bleak winter day.

Yet the press does it, and we do it to ourselves. We see that, in order not to trouble the waters, the President of the United States wouldn't see Mrs. Sakharov. We saw that in advance of the Geneva talks that this country's Embassy in Kabul was surrounded by armed troops and the lights were turned off and we didn't so much as call the Soviet Ambassador down to the State Department because we were the weathermen.

Dr. Sakharov's imprisonment is against Soviet law, and it is totally in violation of the agreement which they undertook willingly when we signed, all of us, the Helsinki accords. It is intolerable that we view the success of one event, that of Anatoly Shcharansky, so as to see change in Soviet attitudes.

It is intolerable that we now view him as a symbol of something which he is not a symbol of. He is not a symbol of new Soviet attitudes. The Soviet attitude continues. He is the symbol of an old Soviet attitude, and a stroke of luck. And if all the President wishes to see, and the State Department wishes to encourage him to see, are ex-human rights martyrs, then may the good Lord protect those human rights martyrs that still suffer in the Soviet Union.

I want to explore today how we can, not only in Stockholm but in the rest of our relations, continue to hold the focus of Americans on this brutal act there, brutal act with Orloff, brutal acts with a lot of people whose names we don't know but whose existence of which we're aware. If we walk away and say that Shcharansky is a symbol of something new, we do disservice to what Shcharansky did. We do a very grave disservice to those who continue to suffer under that.

Chairman D'AMATO. Thank you, Senator.

Secretary Armacost.

Mr. ARMACOST. Thank you, Mr. Chairman. I welcome this opportunity to meet with you, with your Cochairman, with other members of the Commission on Security and Cooperation in Europe to discuss the approach of the administration to CSCE, with the Helsinki process, on the eve of the Bern Human Contacts Experts'

Meeting and the closing rounds of the Stockholm CDE. It's perhaps a timely moment to assess the value of CSCE and look to its future.

I also want to salute the Commission and its staff for providing unceasing help to advance the goals of Helsinki, especially in the field of human rights. You and the concerned private Americans with whom you work so closely have been a catalyst focusing the world's attention on the critical need for improved respect for human rights in the Soviet Union and in Eastern Europe.

I have submitted a lengthy statement for the record. I won't read that statement. I would like to touch briefly on a few main points, particularly our overall approach to CSCE and how we integrate security and human rights, as we head into the Vienna Followup Conference in November. Ambassador Barry will be better able to address more specifically the prospects of the Stockholm CDE.

The basic document for CSCE is the Helsinki Final Act. It fulfills two objectives. It sets forth a statement of principles on how states should treat one another and how they should treat their own citizens; and it creates a framework within which we can discuss and seek to resolve the human rights, economic and security problems which buttress the unnatural division of Europe.

The signing of the Final Act did not heal Europe's rifts, but it did lead to limited progress. Although the plight of many in the East has worsened since August 1975, there have been some improvements. Some families have been reunited. Some people have exercised the right to emigrate. Some journalists now travel more freely.

But there remains the very substantial gap between the hopes of Helsinki and today's performance. The conduct of the Warsaw Pact states is seriously flawed. The East's human rights record has led to some question about the value of continued participation in the CSCE.

We share your own frustrations over the promises that have been unkept, and we share your frustration about the slow pace, even in those areas where some progress has been achieved. But believe we must keep faith with the people of the Soviet Union and Eastern Europe who are struggling to realize the goals of Helsinki.

That's why, on the 10th anniversary of the signing of the Final Act, the President reaffirmed our commitment to the Helsinki principles and our dedication to giving them meaning in the daily lives of people on both sides of the East-West Divide.

Despite the disappointments of the past decade, there are three basic considerations that lead us to view CSCE as a valuable instrument of Western diplomacy.

First, with a decade's hindsight, it's clear that the Final Act sets forth the Western agenda. The Soviets wanted to legitimize the division of Europe. The Final Act looks toward its peaceful unification. The Soviets wanted to highlight the central role of the state. The Final Act puts emphasis on the rights and freedoms of individuals.

The Soviets wanted the CSCE focused exclusively on its vision of pan-European security. The Final Act preserves the principle of balance, fixing human rights as a fundamental element of genuine security, reaffirming that a government's abuse of its own citizens is a legitimate subject for international discussion.

Second, the Final Act sets standards for government conduct, whether toward other governments or its own citizens, and legitimizes the application of those standards. There is no evidence that these standards have significantly altered Soviet conduct, but they have provided a yardstick against which the West can measure Soviet performance.

These standards helped focus the world's outrage when the Soviets invaded Afghanistan and when martial law was declared in Poland. The existence of these standards and the West's willingness to hold the Soviet Government to account has damaged Soviet prestige and increased the cost of their aggression.

It is in this area of human rights that CSCE has played a particularly significant role. The Soviets sought recognition that security among states was the only legitimate subject for CSCE. Helsinki turned that proposition on its head. It enshrined the concept that greater security and a stable peace are not attainable without greater freedom for the people of Eastern Europe.

The Soviet Union and the other Eastern European countries willingly subscribed to the Final Act's principle affirming human rights, to its provisions calling for a freer flow of ideas, information, and people. We take those commitments seriously, and will continue to hold Eastern governments accountable. We will judge their performance according to Helsinki's standards.

At last year's CSCE Experts' Meeting on Human Rights, for example, where I had the privilege to deliver the opening U.S. statement, we did put the Soviets and other Eastern Europeans in the dock for their human rights record. Such meetings, indeed the CSCE process as a whole, have served to focus the world's attention on Soviet human rights abuses.

They have served to concert efforts to promote improved respect for human rights. At next month's meeting in Bern, as Michael Novak testified before you last week, our primary goal will be to achieve practical results. But in order to achieve that goal, in Bern, too, we will carry out a careful review of the East's record of implementing its CSCE commitments on human contacts.

Third, the Helsinki process has provided a security forum, CDE, where the United States is working together with its Allies to develop concrete confidence- and security-building measures that could strengthen European security.

Our objective in CDE is consistent with and supportive of our overriding goal in CSCE, that is, lowering the barriers between East and West.

The Soviets have sought to concentrate CDE on so-called declaratory measures, in reality, toothless propaganda. But as a final document takes shape in Stockholm, it's clear it will be based on the Western concept of confidence-building, that is, transparency.

The concept that ties the various strands of CSCE together is balance. It's founded on the recognition that the three elements of the CSCE process, humanitarian, security and economic, are interdependent.

Out of the concept of balance grows our own conviction that security cannot be dealt with in isolation from human rights. Balance is not mechanical. It is unrealistic to posit a fixed linkage between security and human rights; the tradeoffs are not that simple.

However, it is also unrealistic to believe that any real or enduring progress in East-West relations can take place without progress in human rights.

Balance is the challenge for the Vienna Followup Meeting that begins in November. In Vienna, we will have to weigh the results of the CDE and the other experts' meetings, as well as the achievements and problems in all aspects of CSCE. Based on this assessment, we will have to decide what is required to advance the goals of the Helsinki Final Act.

Given the Soviet record on human rights, Vienna is likely to be a difficult conference. It would improve the meeting's prospects immensely, and those of the Bern meeting next month, if the spirit of cooperation on humanitarian affairs which emerged from the President's meeting with General Secretary Gorbachev in Vienna and Geneva were given a new reality through concrete deeds.

Ten years ago, the Helsinki Final Act set an agenda that evoked a vision of a united Europe where barriers were removed and freedoms enjoyed throughout the Continent, a Europe where dialog rather than conflict resolved differences and cooperation benefited individuals on both sides of the East-West Divide.

That is the vision which will inform our own approach to Vienna. The disappointments of the past decade demonstrate there are no easy strategies for achieving Helsinki's ambitious goal. Patience, skillful diplomacy, the unity of the West, and the courage of our own convictions will be required.

As the President said on the close of the Madrid meeting in 1983, "* * * Giving substance to the promises of Madrid and Helsinki will remain one of our prime objectives."

Mr. Chairman, as we prepare for that meeting, we look forward to working with the Commission and its very able staff to both assess where we stand and to develop proposals for how we might move the Helsinki process forward. As in Madrid, we'll lean heavily upon your own skills, your own expertise and your own judgment. We, therefore, welcome these hearings this morning.

Chairman D'AMATO. Thank you very much, Mr. Secretary.

[The statement of Under Secretary Armacost follows:]

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STATEMENT OF MICHAEL H. ARMACOST, UNDER SECRETARY OF STATE FOR POLITICAL AFFAIRS

The CSCE Process and East-West Diplomacy

Mr. Chairman, I welcome this opportunity today to meet with you, Co-chairman Hoyer, and the other members of the Commission on Security and Cooperation in Europe to discuss the Administration's approach to CSCE -- the "Helsinki" process.

The hearings held by the Commission on Security and Cooperation in Europe are important. They focus attention on the contribution that improved respect for human rights in the Soviet Union and Eastern Europe would make to overall East-West relations. We welcome the Commission's sustained work over the past decade -- and the efforts of concerned private American groups -- to promote the goals of the Helsinki Final Act. Through your hearings, resolutions, participation on United States delegations, and research and publications, the Commission and its staff have worked vigorously and served the interests of the United States well. We look forward to continuing this close and productive relationship as we prepare for CSCE meetings in Bern next month and in Vienna in November.

In your letter of invitation, you asked that I put the CDE negotiations in Stockholm and other elements of the CSCE process into perspective and provide an assessment of the prospects for the Vienna review meeting and beyond. Let me begin with an overview that describes our assessment of the process, outlines our approach, and then looks ahead, mainly to the Bern and Vienna meetings. Ambassador Robert Barry will address more specifically the prospects of the CDE.

The Final Act of the Conference on Security and Cooperation in Europe represents a framework within which the 35 participating states can work to resolve the humanitarian, economic, and security issues that divide Europe. The Final Act underscores that each of these areas is of equal importance to genuine security and cooperation. The Western objective for the past decade has been to preserve and strengthen this process through thorough review of implementation of the Final Act and by agreement on balanced and constructive steps forward.

At the tenth anniversary commemoration of the Final Act, attended by 35 Foreign Ministers last summer in Helsinki, Secretary Shultz assessed the CSCE process. Although the reality of Europe's division remained, he noted, we have seen limited progress. The Final Act has had some practical effect. For example, journalists travel more easily between CSCE countries. Significant numbers of citizens in some East European countries have been reunited with their families in the West. And the review conferences in Belgrade and Madrid as well as other CSCE meetings have kept alive the aspirations embodied in the Final Act.

In summing up our assessment, however, Secretary Shultz concluded that "ten years after the signing of the Final Act, no one can deny the gap between hope and performance. Despite the real value of the Final Act as a standard of conduct, the most important promises of a decade ago have not been kept."

There is no need to recite the basis for this conclusion. The record of compliance of the Warsaw Pact nations with their CSCE undertakings is seriously flawed:

-- The number of Soviet Jews permitted to emigrate fell from 51,000 in 1979 to somewhat over 1,000 last year. And we have seen similar reductions in the number of Armenian and ethnic German emigrants.

-- While recent Soviet decisions to permit 33 families to be reunited in the West are welcome, we can not forget that there are many others who remain separated from their families.

-- The Soviet Union continues to imprison its citizens who speak out on human rights.

-- Andrei Sakharov remains isolated in Gorkiy, although his wife has been permitted to travel abroad for medical treatment.

-- Several religious groups are persecuted in Romania, religious leaders are imprisoned and churches are demolished.

-- In Poland, Bogdan Lis, Adam Michnik, and Wladyslaw Frasyniuk have been sentenced to prison terms for championing free trade unions.

-- In Czechoslovakia, the regime severely restricts the Catholic Church and has been especially active in suppressing religious dissent within the Charter 77 movement.

-- In Bulgaria, the government has attempted to deprive almost ten percent of its people -- the Turkish minority -- of its ethnic heritage.

-- And despite a generally favorable human rights record, in Hungary there is continued harassment of dissidents.

This mixed record has led some to express understandable skepticism over the value of continued involvement in the CSCE process. We share those frustrations. We believe, however, that we must keep faith with those who struggle to realize the goals of Helsinki. That is why, on the tenth anniversary of the Final Act last summer, President Reagan reaffirmed the U.S. commitment to the Helsinki principles and our dedication to giving them meaning in the daily lives of all citizens whose governments signed the Final Act.

Let me discuss the three basic considerations that lead us to view the CSCE process as a valuable instrument of Western diplomacy, despite the disappointments of its first decade.

First, it is clear that the Helsinki Final Act serves as a vehicle to marshal support for a fundamentally Western agenda. The Soviet Union sought to legalize the division of Europe, but the Final Act looks toward its peaceful unification. The East wanted to highlight the central role of the state, but the Final Act stresses individual rights and freedom. The Final Act asserted that respect for human rights was a fundamental element of genuine security and cooperation; it confirmed that

a government's abuse of its own citizens was a legitimate subject for international discussion. Far from giving the Soviet Union a lever on Western Europe, the CSCE process confirmed the continuing engagement of the United States in Europe.

The CSCE process has thus served to foster and reinforce Alliance unity. In turn, Alliance unity -- insisting on compliance with CSCE undertakings and balance between security and human rights goals -- has been essential to the limited progress we have made in CSCE.

And, Mr. Chairman, I should add that the NATO Alliance has not stood alone in pushing for both balance and for progress in human rights. Our neutral friends have found that in CSCE they can play a special role. Their neutral credentials remain untarnished. But from the beginning in CSCE they have pushed for Soviet adherence to the commitments undertaken in Madrid and Helsinki.

The second area where the Final Act plays a significant role in our East-West diplomacy relates to the standards it set for the conduct of individual governments toward each other and toward their own citizens. In Helsinki, the United States, Canada and thirty-three European states agreed to observe ten basic principles in their relations with one another, as well as with other states. We can cite no evidence that this has significantly altered Soviet behavior. But these principles

have given a solid framework for Western arguments concerning that behavior.

A number of the principles -- respect for sovereignty, non-use of force, non-intervention in internal affairs, equal rights and self-determination of peoples -- have increased the impact of Western condemnation of the Soviet invasion of Afghanistan in 1979 and of Soviet pressure on Poland in the early 1980's. The CSCE process helped focus the world's outrage at the unlawful Soviet occupation of Afghanistan, particularly during the opening weeks of the Madrid Review conference. Similarly, the strong Western response in CSCE to the imposition of martial law in Poland drew international attention to Soviet actions that contradicted its Helsinski obligations.

It is in the area of human rights standards that CSCE has played a particularly significant role. The Final Act is based on the view that the interests of individual human beings are a fundamental part of security and stability in Europe. Greater security and a more stable peace depend on greater freedom for the people of Europe.

At Helsinki in 1975, the Soviet Union and other East European countries willingly subscribed to principles affirming basic human rights and to provisions calling for freer flow of ideas, information, and people. These provisions were strengthened in the 1983 Madrid Concluding Document. These two

documents added legitimacy to international discussion of the way a government treats its citizens. Coupled with a process of follow-up meetings, the Final Act gives the West a vehicle for keeping the pressure on Eastern governments for improvements in human rights performance.

One can only speculate on the motivations of the Soviet Union and other East European governments in signing the Final Act. If they thought their commitments would be ignored -- they were wrong.

For years the Soviets sought to deflect human rights criticism by hiding behind "non-interference in internal affairs." The hollowness of this defense, however, has been exposed at successive CSCE meetings during which the Soviets have been forced to confront the facts of their poor record. At the CSCE human rights experts' meeting in Ottawa, the Soviets changed tactics and took the offensive, charging Western abuses of social and economic rights. This change of tactic implicity conceded the legitimacy of raising human rights issues involving another country. And it testified to the growing force of international concern over human rights, a trend that the Final Act has nourished.

The Final Act has helped bring greater international attention to the cause of human rights. By signing the Final Act, the Soviet Union created the expectation that it would comply, making its failures to do so all the more troubling,

not only in the United States but in Europe as well. In the United States, the Final Act gave rise to the CSCE Commission and provided a focus for the network of private organizations which have pressed for improved respect for human rights. The existence of agreed standards has also encouraged other Western governments to speak up against human rights abuses. And it has provided a focal point for efforts by European parliaments and private groups.

From the 1977 Belgrade Review conference to the recent Budapest Cultural Forum, expressions of Western concern over Soviet abuses have become increasingly frequent and specific. During General Secretary Gorbachev's visit to Paris, for example, President Mitterrand reported to the French people that he had insisted that movement in "Basket Three" of the Final Act take place at the same pace as in the other areas of CSCE. And French journalists took Gorbachev to task for Soviet failure to live up to the standards enshrined in the Final Act.

The Soviets, moreover, have shown themselves sensitive to such criticism, particularly when it adversely affects the image Moscow wants to cultivate in Western Europe.

The CSCE experts' meeting in Ottawa last year, where I had the privilege to deliver the opening statement for the United States, illustrates well the diplomatic value of the CSCE process. Soviet intransigence and refusal to commit itself to any improvements in its human rights practices blocked

agreement on meaningful, practical steps forward. Nevertheless, the meeting was worthwhile and advanced our objectives:

-- It gave us nearly three weeks to debate Soviet adherence to the commitments in the Final Act. The West, both our Allies and our neutral friends, put the Soviets and other East Europeans in the dock for human rights abuses. The East was effectively isolated.

-- The West rejected initial Eastern claims that criticism constituted interference in the internal affairs of another state.

-- The West held firm in rejecting Soviet efforts to distort Principle Seven of the Final Act dealing with human rights. Instead, the Western states tabled a set of specific proposals that constituted a common human rights agenda for the future.

-- In sum, Ottawa gave the West an opportunity to sound a united call for improved respect for human rights in the East.

We regret that the Ottawa meeting, like the CSCE process as a whole, has not done more to enhance the prospect of short-term improvement for individuals in the Soviet Union and Eastern Europe. But such meetings and the international attention they focus on human rights issues do advance the cause. The fact that attention is paid to their plight provides comfort if not hope to the citizens of the Soviet

Union and Eastern Europe. And most of those in Eastern Europe active in the struggle for human rights support the CSCE process. They welcome our emphasis on the commitments in the Final Act and our effort to bring about improved Eastern compliance.

It is undeniable that the CSCE process, more than any other forum, has served to focus the world's attention on massive Soviet human rights violations. And in doing so, the CSCE process has served to expose the nature of Soviet power and promote the cause of freedom around the world.

The meeting on human contacts in Bern that begins in April will focus attention on such important CSCE issues as freedom to travel, freedom to emigrate, and family reunification. As Michael Novak, the head of our Bern delegation, testified before you last week, it is our hope that this meeting will mark an advance toward lowering the barriers that divide the peoples and families of the East and West. We hope the spirit of cooperation on humanitarian affairs which emerged from President Reagan's Geneva meeting with General Secretary Gorbachev will be given a new reality through concrete deeds. Steps forward on such issues would make an important contribution to the Vienna Follow up Meeting later this year.

Security is the third area in which the CSCE process plays an important role in our overall East-West policy. Far from fulfilling Soviet aims to diminish our role in European

security affairs, CSCE provided a forum which engaged the United States and Canada, together with European governments, in a discussion of the basic questions of European security.

At the Madrid Follow up Meeting, the West secured a mandate for the Conference on Confidence- and Security-Building Measures and Disarmament in Europe (CDE) that serves our interests. The mandate recognized explicitly that the CDE was an integral part of the CSCE process, expanded the zone defined in the Final Act to cover the Soviet Union west of the Urals, and stipulated that the measures adopted should have military significance and be verifiable.

At the CDE conference, we have an opportunity to find concrete ways to increase confidence and security in Europe. NATO is pushing for adoption of specific confidence and security building measures that address some of the proximate causes of war. They would make European military activities more predictable and more stable. Through skillful negotiation over the past two years, the West has prevented the Soviets from turning Stockholm into a forum for empty, propagandistic declarations that support their vision of a pan-European security order excluding the United States.

The growing consensus in Stockholm is based on the Western concept of security. It features practical measures which would increase our knowledge of potentially threatening military activities. And these measures would be verifiable by

every state participating in the Conference.

With the setting of a September 19, adjournment date and the recent move to drafting, the conference has now moved into a more intensive phase. President Reagan and General Secretary Gorbachev at their meeting last November made a political commitment to work with others for a successful conclusion in Stockholm. The United States delegation has been instructed to pursue concrete results at the negotiating table.

An agreement in Stockholm that met our objectives would serve the West's security interests by providing a set of concrete rules governing military activities in Europe. Through the exchange of information about forces in Europe and an annual calendar of planned activities, we would be able to increase mutual understanding about intentions behind those activities. This would provide greater openness and improved mutual understanding about military intentions and practices -- contributing to enhanced stability and security in Europe.

If successful, the Stockholm conference can help achieve the primary goal of the CSCE process -- lowering the barriers that artificially divide Europe between East and West.

These various strands of the CSCE process are tied together by the concept of balance. This concept is founded on recognition, inherent in the Final Act itself, of the interdependence among the three parts of the CSCE process -- humanitarian, security, and economic. Military-security

aspects cannot be dealt with productively if they are isolated from humanitarian and human rights considerations. Thus, for example, we have countered vigorously Eastern attempts to establish a military-security forum as an autonomous entity, overshadowing our efforts to improve human rights and human contacts.

We are committed to balanced progress across the board. We insist on moving ahead in all areas because we believe all ten principles are equally important. At the same time, there is no ready formula for the application of balance. It is not a mechanical concept. It is unrealistic to posit a fixed linkage between security and human rights. The trade-offs cannot be put in such simple terms.

And yet, it is also unrealistic to believe that real and enduring improvement can take place in East-West relations without progress on humanitarian and human rights issues.

To quote French Foreign Minister Dumas: "Can a state which is not at peace with its own citizens really gain the confidence of its neighbors?" Concrete steps in this area would go far toward restoring the political confidence and political support for constructive progress in CSCE.

Balance is the challenge for the Vienna Follow-up Meeting that begins November 4. The delegations at Vienna will have to weigh what has been achieved on human rights and human contacts, on cultural and economic cooperation, and on

security. They will have to look at the results of the Ottawa Human Rights Experts' Meeting, the Budapest Cultural Forum, and the upcoming Bern Human Contacts Meeting. The question of the future of CDE will be part of this overall assessment. Even if the CDE is successful, we must be careful to ensure that the security component is not allowed to dominate other aspects of the CSCE process.

In addition to maintaining balance, the West faces two other basic tasks at Vienna. The first is to maintain Western unity. The Soviet Union never tires of seeking ways to exploit the CSCE process to drive wedges between us and our Allies. If we are to make progress on issues of importance to us, we must present a united front. Second, we must take stock fully and candidly of the extent to which commitments have been kept and the extent to which governments have fallen short. Vienna must establish a clear record. Governments must be made to account for their commitments.

Given the Eastern record on humanitarian and human rights issues, the Vienna Follow-up Meeting is likely to be a difficult conference. Progress on humanitarian and human rights issues in the months ahead would certainly enhance the prospects for a constructive outcome, which we would welcome.

We are at an early stage in our own planning for the Vienna meeting. We look forward to working closely with the Commission in the months ahead on the issues we will confront

in Vienna. As in Madrid, we will lean heavily on your skills, expertise, and judgment.

The Helsinki Final Act ten years ago set an agenda for progress toward greater security and a more stable peace in Europe. It evoked a vision of a united Europe in which barriers were removed and freedoms were enjoyed throughout the continent, a Europe in which dialogue rather than conflict resolved differences and cooperation benefited individuals in both the West and the East.

That is the vision that will inform our approach to Vienna and beyond. The disappointments of the past decade indicate there are no easy strategies for achieving the ambitious goals set forth in the Final Act. Patience, skillful diplomacy, Western unity, and the courage of our convictions will be required.

In closing, let me recall President Reagan's statement on the close of the last review conference three years ago:

> In concluding the Madrid meeting, we reaffirm our commitment to the Helsinki process. We will not flag in our continued determination to work with all governments and peoples whose goal is the strengthening of peace in freedom. As Madrid has shown, dialogue, when based on realistic expectations and conducted with patience, can produce results. These results are often gradual and hard won, but they are the necessary building blocks for a more secure and stable world. . . Giving substance to the promises of Madrid and Helsinki will remain one of our prime objectives."

Chairman D'AMATO. Ambassador Barry.

Ambassador BARRY. Thank you, Mr. Chairman. Let me just make a few brief comments about my conference, the Stockholm Conference.

I have not had the opportunity to appear before this Commission before, since I have only headed this delegation since last September; but I have, of course, been long aware of the Commission's interest in all aspects of the CSCE process and in the Stockholm CDE Conference, in particular.

The CDE is subordinate to the CSCE process, and it is U.S. policy to make it clear that this subordination is carried out in practice. The Stockholm Conference came into existence under the mandate which was negotiated in Madrid, and it must report its results to the Vienna meeting in November, as must the Ottawa, Budapest, and Bern meetings. It is this Vienna followup meeting which can decide the future, if any, of the CDE.

In that context, Mr. Chairman, let me respond to your concerns about what and how we get into a possible phase 2 of this conference, because that is a concern which we share also.

It is true that the mandate envisions a possible transition to a disarmament phase, a phase 2; but it is by no means automatic. One of the first things that we did when we began to discuss the procedures for this conference in Helsinki in 1984 was to make it very plain in negotiated statement which said that this kind of transition is not automatic.

If there is to be a post-Vienna CDE, and that is up to Vienna to decide, it may do one of a number of things. It may continue to work on the same confidence-building measures that we have before us currently, that is, a phase 1–A, if you will.

It may also take up perhaps new confidence-building measures, if they are in keeping with the mandate as negotiated in Madrid, or as altered perhaps in Vienna, in which case it would be, I suppose, a phase 1–B. Or it may—but I think there is an increasing consensus that it probably will not—have made such progress in phase 1 that it is ready to move into a phase 2, that is, a disarmament phase.

I say there is an increasing consensus that it will not, because that is, I think, the realistic prediction of what the current phase is going to produce. And it would, of course, take unanimity or consensus among everybody in Vienna taking into account not only the results of Stockholm but the results of the whole CSCE process across the board, to agree to move into a second or disarmament phase. In that context, we fully share your concern that Vienna and the post-Vienna process not become an exclusively security conference or security-oriented forum, but become—but continue to be something where balance remains in the process as it goes on.

I think the stage which now is going to begin on April 15 a 6-week negotiating round, is going to be the critical stage of the conference, and is probably going to determine whether it succeeds or fails.

For us, success means adoption of a set of concrete confidence- and security-building measures which meet the requirements of our mandate; that is, confidence- and security-building measures

which are militarily significant, politically binding, applicable to the whole of Europe, to the Urals, and verifiable.

Given our longstanding and growing concern about Soviet noncompliance with international agreements, this last point, verifiability, is crucial. The United States has made the adoption of effective means of verifying compliance the sine qua non for a successful outcome in Stockholm.

As you know the CSBM's that we are discussing in Stockholm are extensions of those measures which were decided upon in the Helsinki Final Act. We, the West, the 16 countries of NATO, have proposed 6 of these measures: An exchange of information about the structure of military forces stationed in Europe; an annual forecast of significant military exercises in order to create a data base for expected activity during each calendar year; notification of these activities 45 days in advance; the invitation of observers to these activities so that they could try to affirm the nonthreatening nature of this kind of activity; verification, that is onsite inspection to clear up potentially dangerous ambiguities on those rare occasions where serious doubts do arise about the intentions behind military activities; and if warranted, depending on what kind of confidence-building measures are in fact agreed upon, the establishment of advanced methods of communication among the participating states to assist in the implementation of the regime we decide upon.

If there is an agreement, if there is a concluding document at the Stockholm Conference, it will establish a practical confidence-building regime which should make the European military situation more predictable and stable.

A set of rules of this kind regulating the military behavior of European states should lead to increased openness and better understanding about the intentions behind military activities which take place on the Continent. Thus, making it easier to distinguish between what is routine and what is threatening.

This in turn should make the use of military force for political intimidation more difficult and politically costly, and thus help to reduce the risk of military confrontation in Europe.

At this point in the negotiation I think we have a fair possibility of reaching an agreement which will meet the high standards we have set forth. I base this guarded optimism on the performance of NATO which has been remarkably unified in pursuing our agreed objectives and resisting Eastern efforts to undermine allied solidarity.

The neutral and nonaligned states have also acted generally in a serious and constructive manner, and their interests parallel ours in many ways.

For its part, I think that the East came to Stockholm with two objectives. To keep the CDE going as a security forum, which requires an agreement by September 19; and to avoid any confidence-building regime based on genuine openness among states, which could threaten their carefully preserved veil of secrecy.

Soon, however, they are going to have to choose between these mutually exclusive goals. I believe they will finally choose to make the necessary concessions to retain the CDE Forum; but this will have to include specific and detailed confidence-building measures

which provide real transparency and include the vital point of verification.

In fact, I am sure that the East would like to turn the CDE into a separate, coequal military security forum which could grow and overwhelm its parent CSCE process. U.S. policy in the Vienna CSCE followup meeting will and must prevent that and protect the essential balance among all 10 Principles of the Helsinki Final Act.

Only Vienna can assess progress in all three Baskets and determine if there is sufficient balance to warrant a continuation of the security forum.

President Reagan has said that a fundamental objective of U.S. policy toward Europe is to enhance security in the larger sense, that which encompasses political, economic, cultural, and humanitarian affairs, that is, human rights, as well as military affairs. For us, the CDE can have meaning only as a part of the overall CSCE process.

In Stockholm the United States is vigorously pursuing a comprehensive, truly meaningful accord in the military security field, realizing as we do so that such an accord can be relatively effective—can be really effective only if it contributes to a general lowering of the barriers which now divide Europe East from West.

Thank you.

Chairman D'AMATO. Thank you, Mr. Ambassador.

[The statement of Ambassador Barry follows:]

STATEMENT OF ROBERT L. BARRY, U.S. AMBASSADOR AND CHIEF OF THE U.S. DELEGATION TO THE CONFERENCE ON CONFIDENCE- AND SECURITY-BUILDING MEASURES AND DISARMAMENT IN EUROPE

REMARKS BEFORE THE HELSINKI COMMISSION

MARCH 25, 1986

This is my first appearance before the Commission on Security and Cooperation in Europe since my appointment as head of the U.S. delegation to the Stockholm Conference. However, I have long been aware of the Commission's concern about the CDE as part of the Helsinki process and I appreciate this opportunity to discuss with you not only the prospects for Stockholm, but also the CDE's place in the overall CSCE process.

The CDE is the child of the CSCE and it is U.S. policy to ensure that this subordinate relationship remains clear. The Stockholm Conference came into existence under the mandate provided by the CSCE Madrid follow-up meeting and must report its results to the Vienna meeting in November, as must the Ottawa, Budapest and Bern meetings. The Vienna follow-up meeting is also the only forum that can decide the future, if any, of the CDE.

When the CDE resumes on April 15 it will enter the critical stage, which will determine whether it succeeds or fails. For the United States, success means adoption of a set of concrete confidence- and security-building measures (CSBMs) which meet the

requirements of our mandate; that is, CSBMs which are militarily significant, politically binding, applicable to the whole of Europe to the Urals, and verifiable. Given our increasing concern about Soviet non-compliance with international agreements, this last point, verifiability is crucial. The United States has made the adoption of effective means of verifying compliance the sine qua non for a successful outcome in Stockholm.

As you know, the CSBMs we are proposing are an extension of the confidence-building measures of the Helsinki Final Act. We are proposing six CSBMs:

1) an exchange of information about the structure of military forces stationed in Europe;

2) an annual forecast of significant military exercises to create a general profile of expected activity during the calendar year;

3) notification of those activities 45 days in advance;

4) invitation of observers to those activities who, in most circumstances, could affirm the non-threatening nature of an activity;

5) verification, that is on-site inspection, to clear up potentially dangerous ambiguities on those rare occasions when serious doubts do arise about the intentions behind military activities; and

6) if warranted to support these CSBM's, the establishment of advanced means of communication among the 35 participating states to assist in implementation of the confidence-building regime.

If we succeed in CDE, we will establish a practical confidence-building regime which should make the European military situation more predictable and stable. Such a set of rules regulating the military behavior of European States should lead to increased openness and better understanding about the intentions behind military activities which take place on the continent, thus, making it easier to distinguish between the routine and the threatening. This, in turn, should make the use of military force for political intimidation more difficult and politically costly and thus help reduce the risk of military confrontation in Europe.

At this point in the negotiation, I believe we have a fair possibility of reaching a agreement which will meet the high standards we have set out. I base this guarded "optimism" on

the performance of NATO, which has been remarkably unified in pursuing our agreed objectives and resisting Eastern efforts to undermine Allied solidarity. The Neutral and Nonaligned states also have acted generally in a serious and constructive manner and their interests parallel ours in many ways.

For its part, the East came to Stockholm with two objectives; to keep the CDE going as a security forum, which requires an agreement by September 19, and to avoid any confidence building regime based on genuine openness among states which could threaten their carefully preserved veil of secrecy. Soon, however, they will have to choose between these mutually exclusive goals. I believe that they finally will choose to make the necessary concessions to retain the CDE forum, including on the vital point of verification.

In fact, the East would like to turn the CDE into a separate, co-equal military-security forum which could grow and overwhelm its parent CSCE process. U.S. policy in the Vienna CSCE Follow-up Meeting must prevent that and protect the essential balance among all ten principles of the Helsinki Final Act. Only Vienna can assess progress in all three baskets and determine if there is sufficient balance to warrant a continuation of the security forum. While we do not seek a mechanical balance in all aspects of the CSCE process, we do

insist on moving ahead in all areas because we believe all ten principles of the Final Act have equal weight and validity.

President Reagan has said that a fundamental objective of U.S. policy towards Europe is to enhance security in the larger sense, that which encompasses political, economic, cultural and humanitarian affairs -- human rights -- as well as strictly military affairs. For us, the CDE can have meaning only as part of the overall CSCE process. In Stockholm, the United States is vigorously pursuing a comprehensive, truly meaningful accord in the military-security field, realizing as we do so that such an accord can be really effective only if it contributes to a general lowering of the barriers which now divide Europe East from West.

Chairman D'AMATO. Secretary Armacost, since Secretary Abrams has taken the leadership of the Bureau of Inter-American Affairs, the Department of State's position on the Commission has been vacant. There's very serious question with that kind of situation developing as to just, and again, how does the State Department view the Commission. Does it view it seriously? And there are some other matters that I will take up privately with you and maybe Secretary Whitehead, that lead us to believe that it's almost one of—and let me say it candidly—disdain, that we're a problem.

I don't mean to be confrontational with you personally. That is certainly not my intent, and I think I am being not overly—I'm not overly stating the case. There would be other of my Commissioners who, I think, would be even stronger in what they see as a lack of cooperation with respect to the Commission.

So let me get back to the point. When can we expect, and don't you think there should be, a senior officer from the State Department to replace Secretary Abrams on the Commission? It sends a terrible signal to everyone here, and not to mention what it does when we are dealing with the Soviets.

Mr. ARMACOST. I believe there should, and I believe there are steps underway to assure that is taken care of promptly.

Chairman D'AMATO. Would you review that matter?

Mr. ARMACOST. I will indeed.

Chairman D'AMATO. Again—and I point out, here we had Elliott Abrams who was a member of the Commission, and now if we're going to have—and I don't, again, wish to denigrate anybody's work, background, service to this Nation in various capacities, but I will be rather blunt and say that, if we're going to have a career diplomat who does not have the kind of visibility that an Elliott Abrams had commanded, someone like yourself—that wouldn't be a bad idea—the fact is that you will be effectively downgrading and I think adding to the fact of perception that there are some within State who would like us to go away.

Mr. ARMACOST. No, I'm certainly not among them. I know I speak for the Secretary in expressing respect for the members of the Commission and the determination that we have to work closely with you. I think you will see that the man who will, we hope, take up membership alongside you on the Commission will be a man of public stature, and he won't be a career diplomat.

Chairman D'AMATO. I think that's rather important. Maybe my fellow Commissioners might at this point like to add their comments, Congressman Hoyer and Senator Wallop, in regard to that.

Cochairman HOYER. Well, I think the Chairman speaks for us all, that closer cooperation that we have between the State Department and the other members from the executive department and the Commission, I think, will enhance the joint commitment that we have, I think, to the attainment of the goals of the Helsinki Final Act and our participation in the process.

So I share the Chairman's view, and would hope that we can move ahead on that. This is not alone, obviously, an indication of closer cooperation, but it is one indication of it. I think the Chairman is correct, and would like to see you proceed.

I think the Secretary and—he's committed to cooperation between the Congress and the executive department in this area, and I think this would be an indication of it.

Mr. ARMACOST. I would simply add that, from our standpoint, compliance with CSCE commitments depends upon bringing public opinion to bear. The prestige you enjoy, your relationship with the nongovernmental organizations, and your access to the bully pulpit the Congress affords is indispensable to our objective in promoting compliance. So if we've not been cooperating to your satisfaction, let me pledge our resolve to rectify that.

Cochairman HOYER. I think the Chairman's hope is, and mine is, that we will enjoy the same credibility with the executive department as we do, hopefully, with nongovernmental organizations.

Mr. WALLOP. Mr. Chairman, I would just make the observation that I'm glad for your reassurances, Mr. Secretary. I was beginning to wonder if we might not be going once again to mirror image the Soviets' position on that. I think I'm correct in saying that our equivalent does not exist in the Soviet Union, that they were either in psychiatric institutions, imprisoned——

Cochairman HOYER. Be careful now. There are an awful lot of people out there, Senator, who might say that there are some aspects of that system that make sense as it relates to members of the Commission, present company, of course, excluded.

Chairman D'AMATO. I'd like to pose one question to the Secretary. Maybe this is a bit unusual, but sometimes it pays to get things out that we ask of ourselves and the staff asks us.

It's just really been brought to my attention—and I'm not suggesting that today or within the next week or 10 days. We understand the recent developments both in Central America, the President and the administration's concern, deep concern in that area, the debates that have been going on, the votes that have taken place and are scheduled, the question of the Middle East and Libya and what is taking place there. So we understand that there must of necessity be high priority, if not the highest priority, assessed to these areas of the world.

Having said that, though, prior to this taking place, the agenda coming to such high levels—certainly, at least the Libyan situation—Yelena Bonner has sought to meet with the President. I'm going to say publicly, it seems to me that it's absolutely imperative that she be given that opportunity. Unless she meets with the President, we may be selling Dr. Sakharov's chances right down the river.

Dr. Sakharov—they seek to have him have the ability to return to Moscow. They aren't even saying come back here to the United States, but simply to live in Moscow, to get medical treatment. I would suggest it's a very powerful indication if the President at least sets aside 5 minutes to meet with Ms. Bonner.

To do otherwise, I think, sends wrong signals to the Soviets. Now I'm not suggesting that her meeting with Mr. Poindexter was not important, was not at a substantial level, but I am very much suggesting that between now and when Ms. Bonner returns sometime in May back to the Soviet Union that there should be a meeting of that type.

I would hope that you could use your good offices in attempting to arrange and facilitate such a meeting. Again, understanding the time constraints, et cetera, I think it's absolutely essential.

That says more than a thousand speeches from the bully pulpit when President Reagan meets with Yelena Bonner.

Cochairman Hoyer.

Cochairman HOYER. Mr. Chairman, I would just observe that I would also be interested in the difference, which I'm not sure that I perceive, between Solzhenitzyn and Bonner. I'm sure there is a difference, and I'm sure that the President can rationalize his very strong criticism of the then President of the United States for failure to meet with Solzhenitzyn and, I'm sure, explain to us the difference.

I tend to believe that the difference is that it's a lot easier to look from the outside in than it is to be in rationalizing the outside.

Mr. ARMACOST. If I might make a comment briefly and pick up on some of the remarks that Senator Wallop made earlier.

I don't think anyone would say the President has ever pulled his punches on the human rights situation in Eastern Europe. He's been very forthright, and he's been very consistent. We don't have any illusions about human rights conduct in Eastern Europe, the Soviet Union, or the likelihood that there's going to be a new day dawning. We have not hailed the release of Anatoly Shcharansky as marking a new day. We welcome his release, but we look at the entire record, and the record is a very mixed one, even since Geneva.

There have been a few more releases of people in the category of divided families. There has been the *Shcharansky* case. On the other hand, Jewish immigration has not perceptably changed. Indeed, the numbers for the first few months of this year don't markedly change the picture from last year.

There has been some new harassment of Jewish teachers. Therefore, we're not guilding the lily at all.

The President's attitude and, I think, the Secretary's attitude is these are issues that we invariably raise. We always insist that in dealing with the Soviets we take up a broad agenda, and we insist that our issues be front and center. With regard to the tactics. As between the public pronouncements and a more quiet approach, that's a judgment that's tactical, and we are primarily determined to see what works; and we will change if something doesn't work.

The Secretary, I think, as you know, last August at the time of the anniversary made a very, very detailed speech which named names. Dick Schifter last year at the Ottawa Experts' Meetings likewise went through a very detailed list of names. That's part of what we regard as the essential accounting process, which is important to compliance, to the extent we can get any compliance.

So I'll take back your message on this case. I think the only criteria that is applied by the President in matters of this kind is what, in his judgment at this moment, is most likely to work. And if it doesn't produce results, then I think there's a flexibility about changing the tactics, and you've seen changes in the past. There perhaps will be some in the future, but the point is results.

Mr. WALLOP. Mr. Chairman, if I might—as I say, you don't have very many weeks in which to examine whether this works or not

and to be able to change tactics. I would point out to you, Mrs. Bonner's visa lasts until the 2d of June.

The problem is as much symbolism as anything else. You know, it doesn't have to be a big ballyhoo thing with television cameras or anything else, merely—and you say in your statement, which I think in many respects is an eloquent statement, Mr. Secretary, what this did, our signing of the Final Act, was to give hope to those peoples in Eastern Europe and those people who suffer under this yoke.

This is a matter of giving hope to those who remain behind, who are still human rights martyrs. And that's a potent symbol all by itself, without the television cameras and photographers and everything else. The fact that 5 minutes of time of the President of the United States was given to this woman will not be lost, even though it isn't photographed.

I think, you know—I mean, I'm really very concerned that we see one case worthy of pouring oil on, and not the other.

Chairman D'AMATO. Cochairman Hoyer, do you have any other questions?

Cochairman HOYER. Mr. Chairman, I do have some questions, and I want to apologize, as I said before, I'm lamenting the fact that I have a very critical scheduling conflict, because one is a local issue and one is this issue, both of which are critically important in a different sense.

I have just concluded reading your statement, Mr. Secretary. I appeared not to be paying attention, but I was reading your whole statement, all 14 or 15 pages of it.

I want to say that I was highlighting it at the same point—at the same time. I think you make some excellent points in here. I think the point that you just made is one with which I agree totally, and that is what we are concerned about and our objective is what works. And if private diplomacy, nonconfrontational public diplomacy works, then that's what we want to pursue.

On the other hand, if it doesn't, perhaps we want to pursue another course. I think we probably all agree that what works is probably a combination of the two, a double-track process, if you will.

I would also agree with you that this administration has, in fact, as I've said before, placed on the international agenda on the front burner issues of human rights. This Commission, of course, continues to do that as well.

I think, as we said at the outset, moving ahead in tandem to do that will be useful for the country and for the Helsinki process and all of those peoples of the world that we seek to serve and to assist.

Unfortunately, I will not have time to go further into either your statement or Mr. Ambassador, your statement. I want to thank Ambassador Barry for taking the time to visit with me in my office, where we did have the opportunity to discuss at greater length the CDE Conference in Stockholm.

Mr. Chairman, as you know, I intend to—regretfully, you will not be able to go because of your schedule, but I intend to visit with Ambassador Barry in Stockholm in the latter part of May, and then go on to Bern, to meet with our delegation there. But both statements were excellent, and I regret that we're in a period

of time where the House is, for the most part, gone; and we don't have a full delegation here to hear you. But there is no doubt that we feel that this process in Stockholm, in Bern and coming in Vienna are critically important.

Mr. Secretary, I look forward to, in the very near future, pursuing discussions with you on this matter. There are some concerns that I have that I would like to discuss with you in the overall picture.

Mr. ARMACOST. I'll welcome that.

Cochairman HOYER. Mr. Chairman, thank you very much. Thank you for your opening statement, which I felt was good, and for your continuing leadership to stress the importance of this ongoing process.

Chairman D'AMATO. Well, thank you, Cochairman Hoyer.

Senator Wallop, do you have any questions?

Mr. WALLOP. Mr. Chairman, yes; I have a couple of questions and one observation. I appreciate your scheduling these hearings on the whole process, because we too often think that it's only one leg of the many legs which underpin it.

I was appreciative of your statement, Ambassador Barry, that all the Baskets are connected. You stated that one of the achievements that we wish to have in these upcoming negotiations is an understanding of security arrangements and confidence-building measures that are politically binding. How do we seek to make anything bind the Soviet Union? They have not been bound by a damn thing yet. How do we—see, my big problem here and in Geneva with the arms control talks is that verifiability is a totally empty word, if it's not followed by an answer to the question after verification, what?

What do we do if they kill another Major Nicholson? What do we do if they engage in more maneuvers without notifications that they have already agreed to? What do we do in the future to make something politically binding?

Ambassador BARRY. Well, Senator, that's a problem that all of us worry about, and certainly I wouldn't say that the fact that we have an agreement which all agree should be politically binding means that the Soviets will necessarily be bound by it.

What the difference is, and the reason this word politically binding appears in the mandate that was negotiated in Madrid, is because the confidence-building measures negotiated in Helsinki were avowedly voluntary. What we intend to negotiate in Stockholm are confidence-building measures which are not voluntary, where you at least commit yourself—and I say commit, because after all, it is not a treaty. It is not something which has that status of obligation that a treaty does. But it commits you to notifying all activities above a certain level and inviting observers to them.

This is obviously, something that may not be done on certain occasions. If it is not done, the provisions on verification or inspection, which we are insisting upon as part of this agreement, should allow us to send people to observe on the ground, to inspect on the ground or from the air, whether or not the provisions of the agreement are being lived up to.

Now I don't want to exaggerate our ability to verify what is happening at the margin. But were it to be a large scale, that is, mili-

tarily significant violation, it should be apparent to us from national technical means, and then there should be an inspection provision that would allow not only the United States but the other participating states to choose to inspect that event and determine (a) whether or not it is a violation of the agreement, and (b), and perhaps even more important, whether it is of genuinely threatening character.

It is possible, likely even, that there will be violations of this as well, and there the only answer that I can think of is political accountability, just as we have with the other aspects of the act. But our aim here is to negotiate something which is not an empty statement of goodwill, but something that has codified, mandatory obligations, so that if there are violations, the violation will be as clear as possible and also politically as costly as possible.

I'm afraid those are modest desires, but I think they are, nevertheless, quantitative improvements over the military confidence-building measures that were negotiated in Helsinki.

Mr. WALLOP. I worry a little bit, by your phrase "genuinely threatening character." That has a way of being a sliding threshold. Some of us would have thought that Major Nicholson was a genuinely threatening character. Certainly, many of us thought it was more than the minor irritant, which some hold it. But if you can absorb one of those as a minor irritant, then something else has a new threshold of pain, if you will, above that.

So I just worry. You know, I wish you all the best in that negotiation. If you get what you have described, it will have been significantly more than has been achieved in any of the arms control agreements.

I wonder if they will, as you say, make the necessary concessions. I hope that they do. I hope that we're prepared if they do not, to be pretty serious about our conclusion with regard to the process.

Your statement, Mr. Secretary, is full of symbols, but they leave anxious questions behind. You say that we can cite no evidence that this has significantly altered Soviet behavior, but these principles give them solid framework, Western arguments concerning that behavior. But to what avail? You know—I mean, it's great for us to make arguments and tell each other that the world is as bad as we thought it was, but if it doesn't change it, it's really like what used to be in my business; when old ranchers used to sit on the fence and tell each other what they already knew about the price of cows, and the rest of the world didn't care.

We go—you go on and say,

> . . . The Final Act is based on the view that interests of individuals, human beings, are a fundamental part of security and stability in Europe. Greater security and a more stable peace depend on greater freedom for the people of Europe.

Of course, I agree, but to what avail?

Mr. ARMACOST. Well, we're not claiming that we've made spectacular progress, Senator. I think we would harbor illusions if we attempted to do that. What we have tried to say is that, by getting this on the agenda, we have given ourselves periodic opportunities to demand an accounting. That has some political costs to it for them. Presumably, it produces some desire, on the margin at least,

to be somewhat more responsive on some of the cases. That's perhaps better than nothing.

It provides us also a chance to legitimize these questions. In the old days, they would simply slough off our insistence that this be part of our dialog, as a matter of internal affairs. We say it's not simply a matter of internal affairs. These are matters of international obligation. You've signed this act, too.

It's become, in that respect, a legitimate part of the dialog between the West and the East. That's helpful but I would not claim for it that it's——

Mr. WALLOP. Well, some of us are cynical enough to think that these occasions at the margin are related less to the Final Act and those undertakings than they are to seducing us into a summit in Geneva, a promise of another one, you know, that they're cynical acts and not acts of compliance, even at the margin.

Mr. ARMACOST. I think it's undoubtedly correct that, to the extent they want something from us and recognize that part of the balance is going to come in accommodating our concerns on these issues, they're likely to be more responsive. That's probably the reason why, if there are some prospects for forward movement on issues that are of interest to them, whether that's arms control or commercial matters, then their record on some of these issues probably will improve. That's at least a suggestion emerging from the evidence of the late 1970's.

That's a guess. That's merely a surmise. I can't——

Mr. WALLOP. Bones to hungry dogs. I mean, look at the attention that we've showered on the release of Shcharansky and the benefit that they achieved from that was not the release of Shcharansky but the dimunition of the visibility of those who remain behind.

Mr. ARMACOST. Well, we don't intend to allow those people who remain behind to be invisible. As I said before, we're not shy about pointing to specific cases.

Mr. WALLOP. You have a quote from the French Foreign Minister. "Can a state which is not at peace with its own citizens really gain the confidence of its neighbors * * *" which is the essence of why you're in Stockholm and, I guess, the essence of my despair at the prospect of any significant change in Soviet behavior.

I do not see how we can have much expectation, that a state which in essence fences its people in, will ever be at peace with its neighbors. It cannot be. We represent too much of a threat. The only security that they possibly possess for the power which they wield is to keep the window on the outside world as opaque as possible. And the moment they stop doing that, it cannot be kept opaque forever, it becomes almost instantaneously transparent. I think they're as aware of that as we are.

Mr. ARMACOST. I believe that our security ultimately requires the balance of power, and that's why we've got to pay attention to the military balance of forces in the world. This effort to get a little bit of Western air into the East is a complement to that effort. It's not a replacement for it.

Mr. WALLOP. But it was a fundamental requirement of the original Final Act, wasn't it, that we were supposed to have had that signed a long time ago—the balanced force reductions?

Mr. ARMACOST. No.

Mr. WALLOP. I mean, that's the most permanent job in Christendom, I think. It may not be the most visible, but it's certainly the most permanent.

Mr. ARMACOST. This was not designed as the WPA for diplomats, but it's produced a lot of work. I wasn't referring to the balance of forces only in that context. That includes everything. It seems to me, we rely first on that for our security.

Mr. WALLOP. But that was really, you know, a fundamental requirement of the understanding.

Thank you.

Chairman D'AMATO. Mr. Secretary, since there's been virtually no progress in the human rights dimension of the CSCE since Madrid, wouldn't it be better to postpone a CDE Agreement so ardently desired by the Soviets until the Vienna Review Meeting, when it can be balanced against the human rights issues?

Mr. ARMACOST. Let me let Bob Barry talk about the likelihood of getting an agreement. I don't know what the prospects are, frankly, of getting something before November. That's something we're working on. I think we would always have to look at these things with two concepts in mind. One is the need for balanced progress on a variety of issues, and the other is in evaluating whether or not to sign any agreement. We would want to be sure that on its merits it serves American interests.

Absent knowledge of what the nature of that agreement was and assessing the value that we derive from it in security terms, it's a little difficult to make an abstract statement about the balance; but I think certainly the objective in Vienna will be to look at the way in which whatever emerges from Stockholm stacks up against these other concerns of contacts, human rights, freer flow of goods and people across East-West boundaries.

Chairman D'AMATO. Before Ambassador Barry expands on that answer, let me give you a concern. Isn't it reasonable to conclude that the Soviet strategy in looking forward and anticipating a Stockholm is going to be to make some minor military concessions in exchange for large political gains, including the reducing of human rights within CSCE and the establishment of a permanent all-Europe disarmament propaganda forum. Very powerful political, in the sense of propaganda. Don't you see that as a very real move and a very powerful force that we're going to have to confront?

Mr. ARMACOST. I think it's been a consistent effort on their part, but I don't believe either we or our allies are naive about this. I think we're approaching this issue with a hardheadedness that I'm sure the Commission shares. We won't allow that to happen: We're not going to yield to their agenda. We've got our issues, and we believe CSCE affords us quite a unique opportunity to keep the issues of interest to us before, not only our own public, but before the Western World and, on occasions, before those in the East.

Ambassador BARRY. Perhaps I could just add, Mr. Chairman. Yes, I think that is definitely a Soviet goal, but I'm not afraid they're going to achieve it. This is a consensus operation. Any one country can prevent something that it does not wish to see happen. The 16 countries of NATO are united in saying that we are not going to let this become a permanent security forum.

We are united also in saying that we are not going to allow the CSCE process to become militarized. It is not going to become dominated by security issues. There is not a speech that those of us in the NATO group make, in this context, which does not stress the requirement of balance.

That statement by Foreign Minister Dumas was, after all, made at Stockholm itself during the beginning of the last round. So, yes, I think it is—I think it is true that there are dangers in this process, but there are dangers, I submit, which we are aware of.

It seems to me that we have had remarkable success so far in having been able to shift the center of gravity of this negotiation to our agenda, to our agenda of openness, to our agenda of transparency; because it is ours, and because it is also one that neutral and nonaligned participants, in large part, agree with.

So we have managed to throw out a remarkable amount of excess baggage, anything from non-first use of nuclear weapons through reduction of military budgets and all this, and end up with a core of issues which are our issues.

As to what happens to these issues when we get to the end of this conference. I think we'll have to wait and see what kind of a package emerges, because if it is a package which has only marginal improvements on the voluntary measures that were agreed upon in Helsinki, we have said many times that we won't be there when that consensus is finally reached, that we are not going to settle for a so-called mini-package.

We are there for substantial, binding, real confidence-building measures. When we get them, if we do, then we have to judge how best they are adopted, how best they are implemented, and how this implementation process is to work, because we will have to be sure that we have an accountability mechanism as well.

That accountability and implementation mechanism is definitely located in Vienna. So we see Vienna as the place where all these threads come back together, where they are sewn back up into an overall approach which meets all of our various requirements, and that's how we see the junction between Stockholm, Ottawa, Bern, et cetera and the parent body Vienna.

Chairman D'AMATO. Let me thank Secretary Armacost and you, Ambassador Barry, for being here today and being somewhat reassuring to a Commission that, I must suggest to you, at times questions the strength of the commitment on the issue, particularly, of the human rights violations. I'm not going to go through the litany and repeat Secretary Armacost's statements. They speak for themselves in terms of those societies that respect the rights of their own citizens. When they fail to do so, how can we then put any confidence into an agreement, particularly where there has been such a tragic and open violation of other agreements?

So that really is the underpinning. And then we put that, of our doubt, of our concern, and we couple that with the systematic violations of other accords, trampling of rights, whether they be in Afghanistan; and there are those of us who are quite concerned that, given the legitimate—the legitimate—interest of the body politic and the community at large, both within this Nation and elsewhere, to bring about disarmament, a disarmament in some cases

where some lose sight of the enforcement, the verification, of—and the terms under which disarmament will take place.

There are some who would almost have us take—sign anything that talks about reductions of arms, without consideration as to who or how or where and all of the important aspects concerned with that. So it's almost a fear complex that we have to deal with.

I think Senator Wallop has indicated, and I've attempted to indicate to you, that we have a concern that we not yield to the temptation to come up with an accord because it may be "politically" advantageous to the body politic as a whole, Western allies, our own citizens, but that does not achieve the essential ingredients of verification, enforcement, and that fails to recognize the consistent violations of other terms that I think must be lived up to before we can really believe that there's ever going to be any opportunity for an agreement that is substantive, that has any chance of being enforced.

So I guess we speak to each other about that in different ways, but that remains our concern.

I have another question of the Secretary, but I'm going to ask that with an additional number of questions for the record. Again, we appreciate your time and your dedication to these efforts.

This Commission stands in recess.

[Whereupon, at 11:50 a.m., the Commission recessed.]